

REMARKS

Status

Claims 23-34 are pending.

Claims 35-39 are withdrawn.

Claims 23-32 and 34 are rejected under 35 U.S.C. 112, second paragraph

Claims 23-34 are rejected for double patenting.

Rejection under 35 U.S.C. 112

The Examiner has rejected claims 23-32 and 34 under 35 U.S.C. 112, second paragraph as claim 23 does not confirm to M.P.E.P. 608.01(m) for improper use of periods.

Applicants appreciate the Examiner's careful review of the application and have amended claim 23 to correct the use of said periods and believe this renders the rejection under 35 U.S.C. 112 moot.

Rejection for Double Patenting

The Examiner has rejected claims 23-32 and 34 under the judicially created doctrine of obviousness-type double patenting over claims 1-4 and 6-14 of U.S. Patent No. 6,624,184. In response, Applicants have submitted a terminal disclaimer that accompanies this amendment. Accordingly, with exceptions listed in the terminal disclaimer, the terminal part of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term defined in 35 USC §154-156 and §173, for U.S. Patent No. 6,624,184 is disclaimed.

Fees

Aside from the terminal disclaimer fee, no additional fees should be due. However, if it is determined that a fee is due, please charge same to Deposit Account No. 19-3880 in the name of Bristol-Myers Squibb Company.


Summary

Applicants believe the claims are now in condition for allowance and request issuance of the above-referenced application. The Examiner is invited to contact the undersigned by telephone, at

the number listed below, if it is believed that a telephonic communication would facilitate the prosecution of this application.

Respectfully submitted,

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Date: May 9, 2005